



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/529,077

04/25/2005

Hemant Setya

050201

1834

46064

7590

08/04/2009

MICHAEL N. LAU

LAU & ASSOCIATES, LLC

2121 EISENHOWER AVENUE

SUITE 200

ALEXANDRIA, VA 22314

EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

MAIL DATE

DELIVERY MODE

08/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/529,077	Applicant(s) SETYA, HEMANT	
	Examiner Jonathan Ouellette	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date | 6) <input type="checkbox"/> Other: ____. |

20050324, 20050425, 20050627, 20061012, 20090514.

DETAILED ACTION

Oath/Declaration

Priority

Information Disclosure Statement

Drawings

Specification

Claim Objections

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 3629

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by**

Luckenbaugh (US 5,991,877).

4. As per **independent Claim 1**, Luckenbaugh discloses a virtual knowledge management system using a computer, comprising: a virtual knowledge base which stores a plurality of objects that are data entities for respective utilization by a plurality of users, and that belong to different object types, and control data that is provided corresponding to each of said object types, and that relates to the control of object operations performed by said users; and a manager which has a plurality of types of functions for respectively performing a plurality of types of object operations including the display and preparation of said objects belonging to each object type in accordance with requests from said users; wherein the respective functions of said manager control the respective operations for

Art Unit: 3629

said objects belonging to the respective object types in accordance with the control data of the corresponding object types (Figs.2-3, C5-C8, Claims 1-6).

5. As per Claim 2, Luckenbaugh discloses wherein said manager further has functions for preparing or altering said control data corresponding to the respective object types in accordance with requests from said users (C5-C8).
6. As per Claim 3, Luckenbaugh discloses wherein said control data corresponding to the respective object types includes: class definition data which defines one or more classes possessed by said objects belonging to the respective object types; and class security setting data which defines the classes that can be accessed or that cannot be accessed by the respective users among said one or more classes; said objects belonging to the respective object types have values of said one or more classes defined by said class definition data corresponding to the respective object types; and the function used to display said objects inside said manager is arranged so that the values of classes that can be accessed by the respective users are selected from the values of said one or more classes possessed by said objects belonging to the respective object types, and are displayed to the respective users, on the basis of said class security setting data corresponding to the respective object types (C5-C8).
7. As per Claim 4, Luckenbaugh discloses wherein said control data corresponding to the respective object types includes: folder definition data which defines one or more folders in which said objects belonging to the respective object types are stored; and folder security setting data which defines the folders that can be accessed or that cannot be accessed by the respective users among said one or more folders; said manager further

Art Unit: 3629

has a folder operating function for operating said one or more folders defined by said folder definition data corresponding to the respective object types in accordance with requests from the respective users; and said folder display function is arranged so that folders are displayed with a distinction being made between folders that can be accessed and folders that cannot be accessed by the respective users on the basis of said folder security setting data corresponding to the respective object types, and so that only folders that can be accessed by the respective users among said one or more folders that are displayed are opened in accordance with requests from the respective users (C5-C8).

8. As per Claim 5, Luckenbaugh discloses wherein said control data corresponding to the respective object types includes function security setting data which defines functions that can be accessed or that cannot be accessed by the respective users among said plurality of types of functions inside said manager; and the system is arranged so that only the functions that are defined by said function security setting data corresponding to the respective object types as being accessible by the respective users, among said plurality of types of functions for the respective object types inside said manager, can be operated in accordance with requests from the respective users (C5-C8).
9. As per Claim 6, Luckenbaugh discloses wherein said objects belonging to one of said object types are document objects which can be associated with document files; the respective document objects have type data which indicates one type selected from a plurality of specified types differing in the numbers or types of associated document files, and also have association data which indicates the association with one or more document files in cases where the document objects are associated with said one or more

Art Unit: 3629

document files; the function for displaying said document objects inside said manager displays the types of the respective document objects on the basis of said type data of the respective document objects, and displays the document files associated with the respective document objects on the basis of said association data of the respective document objects, and opens said associated document files in accordance with requests from said users (C5-C8).

10. As per Claim 9, Luckenbaugh discloses wherein said objects belonging to one of said object types are business processes which respectively have one or more sets of workflow model data that respectively define the flow of work among a plurality of users; said objects belonging to another one of said object types are tasks which have task data that defines the work that can be performed by said users said objects belonging to another one of said object types are projects, these respective projects are associated with one or more of said business processes, and with one or more of said tasks respectively assigned to one or more of said users as defined by the workflow data of the respective business processes; said manager further has a project control function for controlling the progress of the respective projects in accordance with requests from said users; and said project control function is arranged so that this function prepares and displays a task list that lists the tasks assigned to the respective users on the basis of said one or more business processes and said one or more tasks associated with the respective projects, and so that this function updates said task list for the respective users in accordance with input indicating the initiation or completion of tasks from the respective users (C5-C8).

11. As per **independent Claims 10, 18, and 19**, Luckenbaugh discloses a virtual knowledge management system (method, computer program) comprising: intensive data administration means for the intensive administration of various types of documents or data that exist in an enterprise; a control data editing part which prepares and alters information flow control data involved in the control of the information flow among a plurality of users, and which registers said prepared or altered information flow control data in a memory device; and an information flow control part which uses said information flow control data registered in said memory device to control the flow of said various types of documents or data among a plurality of user terminals used by said plurality of users (Figs.2-3, C5-C8 Claims 1-6).
12. As per Claim 11, Luckenbaugh discloses wherein said control data editing part has a utilization authorization editing part which prepares and alters utilization authorization data that indicates the authorization of respective users to utilize said various types of documents or data as one type of said information flow control data, and registers the prepared or altered utilization authorization data for each user in said memory device, in accordance with requests from specified users; and said information flow control part has data utilization control part which controls the utilization or operation of the respective users with respect to various types of documents or data in said data base on the basis of the utilization authorization data for the respective users registered in said memory device (C5-C8).
13. As per Claim 13, Luckenbaugh discloses wherein said control data editing part has a workflow model editing part which prepares and alters workflow models relating to

desired business processes as one type of said information flow control data, and registers the prepared or altered workflow models in said memory device, in response to requests from specified users; and said information flow control part has a process control part which controls the information flow among a plurality of users involved in the respective business processes on the basis of the workflow models of the respective business processes (C5-C8).

14. As per Claim 14, Luckenbaugh discloses wherein data relating to the order of work or document flow among a plurality of users involved in respective business processes is included in said workflow models relating to respective business processes; and said process control part controls the order of work or flow of documents among a plurality of users involved in the respective business processes on the basis of said data relating to the order of work or document flow that is contained in the workflow models of the respective business processes (C5-C8).

15. As per Claim 15, Luckenbaugh discloses a display part which graphically displays a hierarchical structure that indicates the mutual logical relationship between the business processes and one or more users involved in each of the business processes on the basis of the data of said workflow models of one or more business processes registered in the memory device (C5-C8).

16. As per Claims 16 and 20, Luckenbaugh discloses wherein said control data editing part has a project editing part which prepares and alters project data relating to projects that include one or more business processes or one or more tasks as one type said information flow control data, and registers the prepared or altered project data in said memory

Art Unit: 3629

device, in response to requests from specified users; and said information control flow part has a project control part which controls the flow of information among a plurality of users involved in the respective projects on the basis of the project data for the respective projects (C5-C8 – Discloses a variety of data – equivalent to project data).

17. As per Claim 17, Luckenbaugh discloses a display part which graphically displays a hierarchical structure that indicates the mutual logical relationships of the projects, one or more business processes or tasks included in each of the projects and one or more users involved in each of these business processes or tasks on the basis of project data for said one or more projects registered in said memory device (C5-C8).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 19. Claims 7, 8, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh.**

20. As per Claims 7, 8, and 12, Luckenbaugh fails to expressly disclose controlling the flow of email messages.

21. However, Luckenbaugh does disclose controlling the specific flow of a variety of enterprise related data and applications (Fig.3, C6-C7), and Official Notice is taken that

Art Unit: 3629

email data was a well known form of enterprise related data at the time the invention was made, and it would have been obvious to include email messages as a form of data controlled, in order to most efficiently cover all data flow throughout an enterprise (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
23. Additional Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.
24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
26. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is

Art Unit: 3629

(571) 272-4000. Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 3, 2009

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629